

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BRYCE FRANKLIN,

Plaintiff,

v.

No. 1:19-cv-00899-KWR-SMV

AMANDA ANAYA, KARL DOUGLAS,
THE GEO GROUP, and the NEW
MEXICO DEPARTMENT OF CORRECTIONS,

Defendants.

ORDER OF DISMISSAL

THIS MATTER is before the Court *sua sponte* after Plaintiff's failure to file an amended complaint.

On July 21, 2022, the Court dismissed Plaintiff Bryce Franklin's Civil Rights Complaint (Doc. 1-1) for failure to state a claim upon which relief could be granted. (Doc. 16). The Court granted Plaintiff leave to file an amended complaint and set a 30-day deadline within which he was permitted to do so. (Doc. 16). On August 22, 2022, the Court granted Plaintiff's motion for a 45-day extension of that deadline. (Doc. 18). The Court mailed a copy of the extension order to Plaintiff, but the mail was returned as undeliverable. (Doc. 19). On September 7, 2022, the Court re-mailed the extension order, this time sending it to Plaintiff at the Southern New Mexico Correctional Facility where, the New Mexico Corrections Department website shows, Plaintiff is currently incarcerated. *See* https://search.cd.nm.gov/history_detail. The extended deadline for Plaintiff to file an amended complaint expired on October 6, 2022. Plaintiff has not filed an amended complaint, nor has he requested an additional extension within which to do so.

Based on the foregoing, and consistent with the Court's July 21, 2022, Memorandum Opinion and Order, this action will be dismissed pursuant to Rule 12(b)(6) of the Federal Rules of

Civil Procedure and 28 U.S.C. § 1915(e)(2)(B), for failure to state a claim upon which relief may be granted.

IT IS THEREFORE ORDERED that this action is **DISMISSED WITH PREJUDICE**.

The Court will enter a separate judgment.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE